

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DR. MARKCUS KITCHENS, JR.	:	CIVIL ACTION
	:	
v.	:	NO. 22-3301
	:	
NATIONAL BOARD OF MEDICAL	:	
EXAMINERS	:	

ORDER

AND NOW, this 29th day of June 2023, upon considering plaintiff's letter request to waive the court transcript fee (DI 86), it is **ORDERED**:

1. Under 28 U.S.C. § 753(d), reporters "may charge and collect fees for transcripts requested by the parties." But the United States will pay the fees for persons permitted to sue *in forma pauperis* where the judge certifies that the suit is not frivolous and the transcript is needed to decide an issue in the case. *Id.*

2. This suit is not frivolous, and the transcript is necessary for us to render a final decision. But because Dr. Kitchens is not proceeding *in forma pauperis* in this case, we do not think it appropriate for the United States to pay the fees.

3. That said, if he wishes, Dr. Kitchens may complete the IFP form found on our Court's website (<https://www.paed.uscourts.gov/documents/forms/ifpl.pdf>) and file it no later than **July 14, 2023**, upon which time we will reconsider this decision.


MURPHY, J.